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8 Attorneys for Petitioners and Plaintiffs

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES**

12
13 KATHERINE MCNENNY and ADRIAN
RISKIN,

14 Petitioners and Plaintiffs,

15 vs.

16 LOS ANGELES CHINATOWN BUSINESS
17 COUNCIL, a non-profit corporation,

18 Respondent and Defendant.
19
20

) Case No.: BS174784

) **PETITIONERS' REQUESTS FOR**
) **PRODUCTION OF DOCUMENTS AND**
) **THINGS (SET ONE) TO RESPONDENT**
) **LOS ANGELES CHINATOWN BUSINESS**
) **COUNCIL**

) **Department: 86**

) **Judge: Hon. Mitchell L. Beckloff**
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)

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22 Propounding Party: PETITIONERS/PLAINTIFFS KATHERINE MCNENNY AND
23 ADRIAN RISKIN

24 Responding Party: RESPONDENT/DEFENDANT LOS ANGELES CHINATOWN
25 BUSINESS COUNCIL, a non-profit corporation

26 Set Number: One

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28 TO RESPONDENT/DEFENDANT LOS ANGELES CHINATOWN BUSINESS COUNCIL

1 AND ITS ATTORNEYS OF RECORD HEREIN:

2 **DEMAND IS HEREBY MADE** pursuant to Code of Civil Procedure section 2031.010 *et*
3 *seq.*, Petitioners/Plaintiffs KATHERINE MCNENNY and ADRIAN RISKIN (“PETITIONERS”)
4 request that Respondent/Defendant LOS ANGELES CHINATOWN BUSINESS COUNCIL
5 (“RESPONDENT”) produce for inspection and copying the DOCUMENTS set forth below that are
6 in its possession, custody, or control, or in the possession, custody or control of its attorneys, agents,
7 accountants, or independent contractors, its investigators, and any persons acting on its behalf, via
8 email to Petitioners’ counsel at anna@vonherrmannlegal.com. If a RECORD does not exist in
9 electronic format, it can be produced via US mail to the Law Office of Anna von Herrmann, 2443
10 Fillmore St. #380-7379, San Francisco, CA 94115, or at another place as may be mutually agreed
11 upon, within thirty (30) days.

12 **DEFINITIONS**

13 1. “YOU”, “YOUR,” and “RESPONDENT” shall mean the party to whom the following
14 requests are addressed and any AGENT or representative of the party.

15 2. “AGENT” shall mean and refer to any employee, owner, partner, director, officer,
16 attorney, representative or other person with a relationship to a government agency, firm, person,
17 corporation, or business association, who has the express, implied, or legal authority to act on behalf
18 of that government agency, firm, person, corporation, or business association.

19 3. “PERSON” shall mean and refer to a natural person, firm, association, organization,
20 partnership, business, trust, limited liability company, corporation, or public entity.

21 4. “ADDRESS” shall mean the street address including the city, state, zip code, and
22 telephone number.

23 5. The term IDENTIFY, when used in reference to a PERSON, means to set forth the
24 PERSON’s full name, current or last known address(es), telephone number(s), employer, position
25 with employer, and area of responsibility. The term IDENTIFY, when used in reference to an entity
26 that is not an individual, means to set forth the entity’s full name, current or last known address(es)
27 and telephone number(s). The term IDENTIFY, when used in reference to DOCUMENTS means to
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1 describe with specificity such DOCUMENTS and to state the quantity of such DOCUMENTS.

2 6. "DOCUMENT" or "DOCUMENTS" or "DOCUMENTATION" shall be construed in the
3 most comprehensive and inclusive sense permitted. This definition shall mean without limitation
4 ANY written, typed, printed, recorded, or graphic matter, however preserved, produced, or
5 reproduced, of ANY type or description, regardless of origin or location, including without
6 limitation ANY binder, cover note, certificate, letter, correspondence, record, table, chart, analysis,
7 graph, schedule, report, test, study, memorandum, note, list, diary, log, calendar, telex, e-mail,
8 message (including, but not limited to, interoffice and intra-office COMMUNICATIONS),
9 questionnaire, bill, purchase order, shipping order, contract, memoranda of contract, agreement or
10 understanding, assignment, license, certificate, permit, ledger, ledger entry, book of account, check,
11 order, invoice, receipt, statement, financial data, acknowledgement, computer or data processing
12 card, computer or data processing tape or disk, computer-generated matter, photograph,
13 photographic negative, phonograph recording, transcript or log of ANY such recording, projection,
14 videotape film, microfiche, and all other data compilations from which information can be obtained
15 or translated as well as reports and/or summaries of investigations, drafts, and revisions of drafts of
16 ANY DOCUMENTS, and original preliminary notes or sketches, no matter how produced or
17 maintained, in your actual or constructive possession, custody, or control, or the existence of which
18 you have knowledge, and whether prepared, published, or released by you or by ANY other person.
19 If a DOCUMENT has been prepared in several copies, or additional copies have been made, and
20 some copies are not identical (by reason of subsequent modification through the addition of
21 notations, etc.), each non-identical copy should be produced as a separate DOCUMENT.

22 7. "RECORD" or "RECORDS" shall carry the same definition as "Writing" under California
23 Government Code §6252(g).

24 8. "REFER," "REFERS TO," "REFERRING TO," OR "RELATING TO" shall mean
25 pertaining to, mentioning, commenting on, connected with, discussing, describing, analyzing,
26 explaining, showing, reflecting, dealing with, comprising of, consisting of, containing, constituting,
27 resulting from, or recording a particular subject in whole or in part either directly or indirectly.

1 9. "ANY" shall also mean "ALL" and vice versa.

2 10. "AND" shall mean "OR" and vice versa.

3 **INSTRUCTIONS**

4 1. YOU are required to produce ALL DOCUMENTS in YOUR possession, custody,
5 or control, including DOCUMENTS that YOU have a right to secure from ANY other source. YOU
6 are requested to make a diligent search of YOUR RECORDS and other papers and materials
7 maintained in ANY form, whether in YOUR possession or the possession of YOUR employees,
8 staff members, attorneys, consultants or other representatives.

9 **However, YOU are not here requested to produce ANY DOCUMENTS which are**
10 **responsive to the California Public Records Act ("CPRA") REQUESTS, and which have been**
11 **withheld by RESPONDENT, and are now the subject of this litigation.**

12 2. This request for production requires that the DOCUMENTS be produced in the same
13 form and in the same order in which they existed prior to production.

14 3. If YOU cannot respond to a DOCUMENT request fully, after a diligent attempt to
15 attain the requested information, YOU must answer the DOCUMENT request to the extent possible,
16 specify the portion of the DOCUMENT request YOU are unable to answer, and provide whatever
17 information YOU have regarding the unanswered portion.

18 4. In the event that ANY DOCUMENT called for by the requests has been destroyed,
19 lost, discarded or is otherwise no longer in YOUR possession, custody or control, YOU shall
20 IDENTIFY such DOCUMENT as completely as possible, and shall specify the date of disposal of
21 the DOCUMENT, the manner of disposal, the reason for disposal, the person authorizing the
22 disposal, and the person disposing of the DOCUMENT.

23 5. In the event ANY information is withheld on a claim of attorney-client privilege,
24 work product doctrine or ANY other privilege, or based on the existence of a binding protective
25 order precluding production, YOU shall provide a privilege log which includes at least the following
26 information: the nature of the information contained in the withheld DOCUMENT, the date of the
27 DOCUMENT, its source, and subject matter, and to whom that information was ever disclosed,
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1 such as would enable the privilege claim to be adjudicated, and ANY authority which YOU assert
2 supports ANY claim of privilege.

3 6. Wherever it is necessary to bring within the scope of these requests DOCUMENTS
4 that might otherwise be construed to be outside its scope:

- 5 a. The words “and” and “or” shall be construed both disjunctively and conjunctively;
6 b. The singular shall include the plural and vice versa;
7 c. The words “include(s)” and “including” shall be construed to mean “without
8 limitation.”

9 7. ALL DOCUMENTS should be produced as native files (.pst, .xls, .pdf, etc.). When
10 DOCUMENTS in their native format are in color, the DOCUMENTS produced should also be in
11 color. ALL DOCUMENTS should include ALL associated metadata, including without limitation
12 and as applicable: the date on which an email was sent; the date(s) on which a document or email
13 was obtained, created, modified, accessed, deleted, copied, moved or saved; the author of an e-mail
14 message (“from” field); the primary recipient(s) of an e-mail message (“to” field); other recipients
15 of an e-mail message (“cc” and “bcc” fields); the subject line of an e-mail message; the title of a
16 DOCUMENT; the author(s) of a DOCUMENT; the file name and file path of a DOCUMENT; the
17 file type; and ALL other embedded or associated data relating to the DOCUMENT or e-mail.
18 DOCUMENTS should be produced on a hard drive, flash drive, disc, or other electronic storage
19 medium.

20 8. This request for production is a continuing request for ALL DOCUMENTS
21 described herein which may hereafter come into YOUR possession, custody, or control.

22 **REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS**

23 **REQUEST FOR PRODUCTION NO. 1:**

24 ALL DOCUMENTS identified in YOUR response to Petitioners’ Special Interrogatory #2, from
25 Petitioners’ first set of special interrogatories propounded upon YOU.

26 **REQUEST FOR PRODUCTION NO. 2:**

27 ALL DOCUMENTS identified in YOUR response to Petitioners’ Special Interrogatory #4, from
28 Petitioners’ first set of special interrogatories propounded upon YOU.

REQUEST FOR PRODUCTION NO. 3:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #6, from
Petitioners' first set of special interrogatories propounded upon YOU.

REQUEST FOR PRODUCTION NO. 4:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #9, from
Petitioners' first set of special interrogatories propounded upon YOU.

REQUEST FOR PRODUCTION NO. 5:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #12, from
Petitioners' first set of special interrogatories propounded upon YOU.

REQUEST FOR PRODUCTION NO. 6:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #15, from
Petitioners' first set of special interrogatories propounded upon YOU.

REQUEST FOR PRODUCTION NO. 7:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #17, from
Petitioners' first set of special interrogatories propounded upon YOU.

REQUEST FOR PRODUCTION NO. 8:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #19, from
Petitioners' first set of special interrogatories propounded upon YOU.

REQUEST FOR PRODUCTION NO. 9:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #21, from
Petitioners' first set of special interrogatories propounded upon YOU.

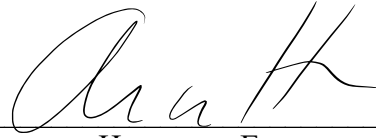
REQUEST FOR PRODUCTION NO. 10:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #23, from
Petitioners' first set of special interrogatories propounded upon YOU.

REQUEST FOR PRODUCTION NO. 11:

ALL DOCUMENTS identified in YOUR response to Petitioners' Special Interrogatory #25, from
Petitioners' first set of special interrogatories propounded upon YOU.

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3 Dated: January 20, 2019
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By: 
Anna von Herrmann, Esq.,
Attorney for Petitioners and Plaintiffs
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